

OPP Public Order & Crowd Management – Principles and Tactics

Increasing Complexity of Public Order Events and Crowd Management

The past several years have seen a surge of moments of mass civil disobedience throughout North America. Multijurisdictional demonstrations continue to occur on a regular basis, with issues involving politics, economics and the environment becoming transnational in nature. In the Canadian landscape, the past couple of years have seen an increasing number of events requiring crowd management approaches in relation to public unrest and dissatisfaction with a plethora of issues. In 2019-2020, a number of conflicts in Canada in relation to issues impacting Indigenous peoples and the BIPOC community caused significant impacts from coast to coast; as issues continue to converge, there has been a significant increase in solidarity demonstrations.

Demonstrations and other moments of civil or criminal disobedience or disturbances continue to evolve, taking a more systematic nature through technological advancements, particularly those involving social media. The proliferation of social media has allowed entities to mobilize and manage participants prior to, and during, civil disturbances and demonstrations. This flexibility permits increasingly complex events that are quickly and efficiently executed, which has driven law enforcement agencies to adapt the tactics and techniques used to safely manage today's demonstrations and civil disturbances. This article provides an overview of the Ontario Provincial Police (OPP) philosophy behind, and approach to, these types of events. From a strategic (as opposed to tactical) perspective, the overarching approach relies heavily on proactive community outreach, relationship building, mediation and negotiation. The philosophy is intelligence-led, and while it focuses on leaning into tactics only when necessary, it does not discourage the use of a public order response.

Demonstrations and mass gatherings about various issues have increasingly become an effective means to change political landscapes. These types of events have demonstrably become a tool to effect change on a broad level, particularly when the moral authority of state institutions is called into question. This notion leads to complications for policing, as in these situations, police are often (but not always) outsiders, not central to the issue and can be seen as intervening. It is often not up to, nor in the police's realm of influence, to solve the issue at hand. Non-partisan law enforcement services are often charged with enforcing legal injunctions in their jurisdiction. It is the duty of police to ensure issue based conflicts are managed in a peaceful, lawful and safe manner; to foster dialogue and relationships without inserting themselves and to manage the narrative when necessary. From an Incident Command standpoint, these factors are integral when making decisions related to educating, properly equipping and outfitting members and navigating the information space surrounding an event.

OPP Public Order Tactics and Tools

Part of the OPP public order, crowd management and tactics responses come from tried and tested recommendations arising out of the Ipperwash Inquiry (2007). This inquiry examined events surrounding the death of a demonstrator, who was shot and killed by an OPP officer during a demonstration by First Nations representatives at Ipperwash Provincial Park in 1995. While these long-lasting recommendations center on avoiding violence in similar future circumstances, they are applicable to a wide variety of issues. Some of the recommendations to police pertain to factors such as education of members, informing communities, ensuring that there is a single line of intelligence to incident command, publically correcting misinformation and most importantly, focusing on community relationships to build trust, confidence and legitimacy in police. While public order can be tactical in approach, at the strategic command level, both intelligence and liaison units can often mitigate the need for such a response, and also are more likely to provide insight into possible outcomes in relation to a specific event.

OPP Major Incident Command

Major public order events are managed by the OPP Major Incident Command, which is responsible for specialized command services via a trained Incident Commander (IC). The IC manages the planning, response and recovery aspects of a major incident. The goal of Major Incident Command is to successfully conclude a major incident through the overall command/control and efficient management of resources and services, either alone or in concert with other emergency management agencies. A major incident is an occurrence that, by circumstance, requires the mobilization of OPP employees, equipment and other resources beyond those required for normal police service delivery. Major Critical Incident Commanders (MCIC's) provide expertise in managing and resolving occupations, demonstrations and high risk incidents including multi-jurisdictional events and those occurring on First Nations territories and/or involving Indigenous community members. Every MCIC is a qualified Critical Incident Commander (CIC) and Public Order Unit (POU) Commander who has demonstrated an understanding of the unique challenges associated to these incidents.

While several tactical considerations for the management of demonstrations and assemblies are outlined below, it is essential that all units comprising an integrated response have a solid understanding of the organizational intent specific to an issue for optimal outcomes. Ideal outcomes at contentious events requiring a public order response are realized by frontloading through targeted recruiting, providing training and education, and properly equipping all members at all levels. To realize success, IC's should be educated in public order command and have support from a public order tactical advisor within the command post to ensure informed responses, particularly during arrests or munitions deployment. Public order members receive standardized training that addresses the four potential stages of a deployment. Communication and engagement with professionalism is the first tool utilized by public order members. Rules of engagement are key to pre-deployment and IC's are responsible for providing a clear outline of the mission. Several specific entities are essential for success, primarily Intelligence, Liaison and Public Order units.

The OPP response to managing issue-based conflicts, including multi-jurisdictional events, is governed by the Framework for Police Preparedness for Indigenous Critical Incidents. This critical policy is similar to the recently endorsed National Framework for Police Preparedness for Demonstrations and Assemblies, developed by the Canadian Association of Chiefs of Police (CACP). Both Frameworks stress the importance of ensuring that communication occurs throughout the recognized stages of conflict (pre, during and post). While this link between police and community can focus on a variety of factors, it is essential to communicate enforcement options or areas of policing tension to help legitimize the police response to conflict. Proactive communications and an expeditious response to social media can assist greatly while working through the stages of conflict. In relation to public order events, these Frameworks outline the importance of narrowing the divide between police and demonstrators, to create a mutual understanding of the need to work together to ensure demonstrations and assemblies are peaceful, safe and lawful. Everyone involved, particularly leaders of community and demonstrator groups, have a responsibility towards safety. While there may be differing ideas of what constitutes peaceful and lawful, it is when safety is disregarded, that police should be concerned.

Intelligence-Led

De-escalation is far and away the most effective tactic for peaceful, lawful and safe resolutions. De-escalation is enabled through the proactive use of intelligence, among other factors. Operational planners working with a Commander continuously assess and update the inputs from each of the following five areas:

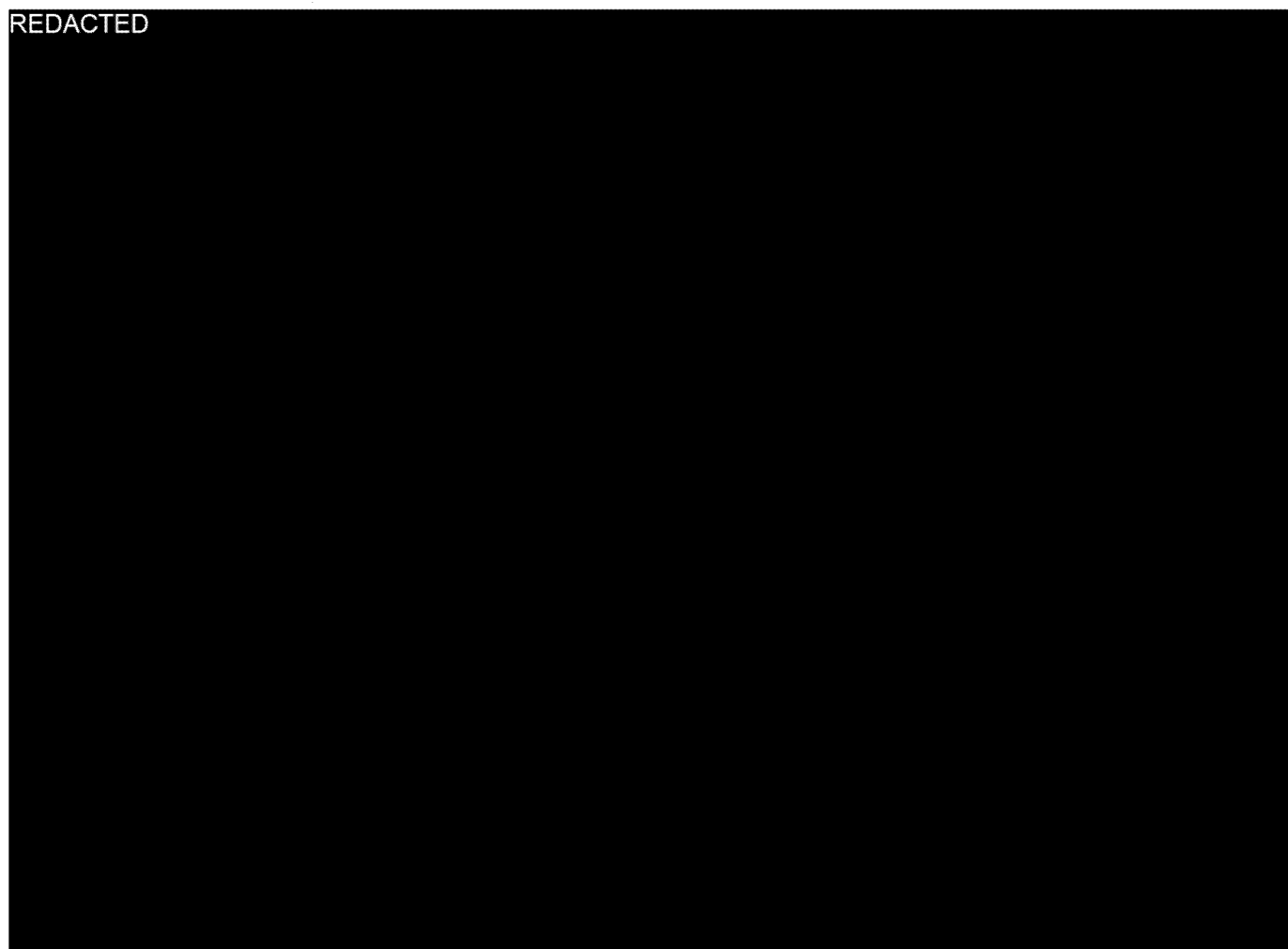
- Gather information and produce intelligence (*e.g Pre-event implementation of an Intelligence Working Group*)
- Assess threat and risk to develop a dynamic working strategy

- Consider powers and policy
- Identify options and contingencies
- Take action and review what happened

Recent years have seen demonstrators and activist groups routinely reaching beyond their customary alliances and finding methods to engage the wider public to further their agendas. In Canada, demonstrator groups have very successfully utilized social media and the general information space to encourage community members to join demonstrations, attend public hearings and draft correspondence to government decision makers. Additionally, individuals representing legitimate organizations (such as teacher and labour associations) have provided funding for unsafe criminal activity. As noted above, police must remain non-partisan while recognizing there are those who are not willing to break laws, but will provide funding based on their beliefs in a cause – regardless of facts. The fluidity in causes, that people are willing to support in large numbers, make it essential to have intelligence units continually providing analysis of information inputted from various sources, through an established intelligence cycle.

Both Frameworks mentioned above give consideration to the intersecting but separate functions of specialty teams. For instance, intelligence, public order and liaison teams have very specific roles, and units should not be tasked with performing functions taken on by other specialty teams.

REDACTED



Operational Tactics: Public Order Unit (POU) & Quick Response Team (QRT) functions

The OPP POU (Emergency Response Teams and trained uniform members) is structured to provide a direct support service in public order maintenance through specially trained teams deployed around the province of Ontario. The POU goal is to pro-actively manage crowds, at all levels of order. POU may be deployed to support internal or external police operations when normal response capabilities or expertise are exceeded. Considerations for POU call-out are: severity of the emergency, level of urgency, and emergency response services required.

Informed by the aforementioned investigative, planning and community engagement efforts, Commanders can prepare and deploy a variety of different situational crime prevention techniques, such as those outlined by Madensen et al (2012). Examples of tactics that can be utilized include:

- Increasing effort for those attending a demonstration or mass gathering through the use of barricades, which can control access or separate different factions of a crowd
- Identifying and monitoring risks by strengthening formal surveillance
- Reducing rewards by removing or concealing targets such as police cruisers at a large assembly, or structures that could be targeted, such as controversial monuments
- Reducing provocations to avoid disputes and/or reduce emotional responses by ensuring crowds are engaged respectfully and utilizing soft tac.
- Removing excuses and communicating expectations through actions such as providing information pamphlets which lay out laws and rights

Individuals will naturally resist orders; changing the trajectory of police-crowd interactions can lead to more peaceful gatherings. A major objective is to restrict the fewest freedoms possible by focussing on those behaviours that are harmful. There is however, a threshold for elevated levels of force. The Gradual Application of Force concept is driven by continuously evolving intelligence and assessment of crowd behaviour. All POU Use-of-Force applications adhere to the Ontario Use of Force Continuum, the Police Services Act and the Criminal Code of Canada.

The National Decision Model (NDM) is a structured yet flexible planning tool used by OPP POU Commanders to facilitate the development, implementation, later review and justification of enforcement decisions and actions. The NDM was developed in the United Kingdom, and has been adopted as a decision-making model for Police Commanders in Canada. Considerations under the NDM in relation to deploying public order units are guided by the “NRA Principle” which addresses three dynamics: Is POU Necessary (what has changed?), Risk Effective (is there a less risky way to respond?), and Acceptable (is the action acceptable at the judicial, civil and moral levels?). The NRA principle is particularly applicable when considering cultural or community specifics. Actions need to be morally correct to be effective. When unjust use of force is deployed at an event, the focus can quickly shift from the original goal, to unite individuals to oppose police crowd control techniques. If police fail to control their portion of the information space and do not manage the narrative surrounding an event, this can result in the image of an abuse of power. Ensuring that individual police members deployed to a particular event are properly trained and equipped with event specific knowledge can assist in sound decision making within different areas of expertise.

Lessons Learned

Strategically, it is imperative to recognize that any event requiring a public order response begins long before people actually assemble, and that if not adequately managed, will continue to have impacts long after they disperse. In Ontario, as a result of massive demonstrations during the 2010 G20 Toronto Summit and other large scale multi-agency deployments, inter-agency interoperability policy, practices and techniques have been

redefined and exercised. The Ontario Public Order Advisory Council developed a provincially standardized basic course to improve training consistency and operational interoperability. There has been a determined focus to ensure resources are properly managed and looked after to prevent officer stress, physical injury and officer burnout in protracted events. Crown attorneys have become a regular feature of all basic and command level courses to improve transparency and accountability. Individuals who provide an alternative perspective are also included to improve recognition of bias. The narratives from police surrounding public safety often clash with the narratives provided by demonstrators. Actions by police are often scrutinized, criticized and may be portrayed negatively if police action becomes the story. As responses to issues become polarized, there are often multiple factions present within a crowd. In these instances, there have been opportunities for OPP IC's to direct squad members to alternate their stance in order to face multiple groups. This non-partisan posture is an example of ensuring improved optics and impartiality when dealing with participants who may be seeking confrontation over an issue.

Specific to OPP POU Indigenous Critical Incidents, early engagement of an MCIC to oversee/manage an event has proven to be an invaluable practice which is aligned not only with the OPP Framework mentioned above but also with national CACP Policing With Indigenous People's committee initiatives related to demonstrations and assemblies. As the tactics and activities of demonstrators evolve, police need to be fluid and adapt organizational responses in order to minimize impacts to the community at large. The OPP approach to crowd management is intelligence-led, centred around liaison strategies and POU functions. It is essential that the activities of all three factions of the crowd management response continue throughout the entire cycle of conflict (pre-during-post) and that multiple considerations are continually assessed.

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